

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

EDWARD WILSON,)	
ERIC MILES, individually and on behalf)	
of all others similarly situated,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 05-939
)	
STRATOSPHERE CORPORATION,)	Chief Judge Ambrose
)	Magistrate Judge Hay
Defendant.)	

ORDER

AND NOW, this 21st day of April, 2006, after the plaintiffs,

Edward Wilson and Eric Miles, filed an action in the above-captioned case, and after a Motion to Dismiss for Lack of Personal Jurisdiction and for Improper Venue or, in the Alternative, to Transfer Venue to the District of Nevada was submitted by the defendant, Stratosphere Corporation, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by plaintiffs and the response thereto filed by the defendant, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the defendant's Motion to Dismiss for Lack of Personal Jurisdiction [Docket No. 8] is GRANTED and defendant's Motion to Dismiss for

Improper Venue and Motion to Transfer to the District of Nevada [Docket No. 8] is DISMISSED
as moot.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules
of Appellate Procedure, if the plaintiffs desire to appeal from this Order they must do so within
thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.



DONETTA W. AMBROSE
Chief United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

D. Aaron Rihn, Esquire
Robert F. Daley, Esquire
Robert N. Peirce, III
Peirce Law Offices
707 Grant Street
2500 Gulf Tower
Pittsburgh, PA 15219

Roy W. Arnold, Esquire
Reed Smith
435 Sixth Avenue
Pittsburgh, PA 15219-1886